

REMARKS

The application has been amended and is believed to be in condition for allowance.

Previously, responsive to the requirement for election of species, applicants elected that of Figures 1-5. Claims 1-5 and 9-12 were noted to be readable on the elected embodiment.

There are no outstanding formal matters.

Claims 1, 2, 4, 5, 9, and 11 were rejected as anticipated by COBURN 3,794,314.

Claim 3 has been incorporated into claim 1 so that claim 1 now recites that the abutment means and the gasket are arranged in such a way that, in order to bring the lens into abutment against the abutment means, the annular portion of the gasket comes into contact with the lens so that the gasket deforms in compression over a width that is at least three times greater than the thickness of said annular portion.

In view of this amendment, the rejection of COBURN is moot and need not be further addressed. However, it is noted that COBRUN describes a holding block having a gasket designed to bend, as a lip seal, whereas the claimed invention provides a gasket designed to deform in compression. Nor does the gasket of COBURN present a width at least three times greater than its thickness.

Claims 1-4, 10 and 12 were rejected as anticipated by BELLY 6,913,356.

Claim 1 is not anticipated by BELLY.

Claim 1 specifically recites so that the gasket deforms in compression and further recites ... deforms in compression over a width that is at least three times greater than the thickness of said annular portion.

In BELLY the gasket 27, parts 28 and 29 bend. The gasket 27, including parts 27 and 28 do not deform in compression and do not deform in compression over a width that is at least three times greater than the thickness of said annular portion.

In the present specification, applicants have distinguished deformation by compression from a gasket being deformed in bending. See, e.g., page 6, lines 14-28, and the paragraph spanning pages 6-7.

The present invention provides an improvement over the prior art approach of bending. See the first two paragraphs under Object of the Invention heading on page 7.

Accordingly, the anticipation rejection should be withdrawn.

Note, BELLY is not available as a §103(c) reference as the subject matter of BELLY and the claimed invention were, at the time the claimed invention was made, owned by the same person or subject to an obligation of assignment to the same person, namely the assignee ESSILOR.

Allowance of all the claims is therefore solicited.

Should there be any matters that need to be resolved in the present application, the Examiner is respectfully requested to contact the undersigned at the telephone number listed below.

The Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 25-0120 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17.

Respectfully submitted,

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